

jobs because of excessive lawsuits. The courts held Piper liable for every aircraft that they had produced since 1937. Piper may not have seen an aircraft since it was sold and left their facility since 1940, yet they were being held liable in courts, even if the plane had been significantly altered or had been poorly maintained for 50 years. This was wrong. Yet it was happening.

Piper could not purchase liability insurance. No one would insure that kind of liability. Piper had to pay for lawsuits and settlements out of their own pocket. This led to their having to file Chapter 11 bankruptcy and the loss of jobs to more than 2,600 Americans.

Around this same time, a French airplane manufacturer made significant gains in providing aircraft to the U.S. market. Aerospatiale gained a significant share of the U.S. market because U.S. manufacturers of small aircraft had been forced into bankruptcy. Our liability laws had resulted in the destruction of jobs here in the U.S. and the creation of jobs in France. I believe our business in Congress should be to create U.S. jobs, not jobs for foreign competitors.

In 1994, the Congress passed legislation limiting liability to 18 years for aircraft produced in the United States. What has this done for Piper Aircraft? These liability limitations have resulted in the creation of over 1,000 jobs in Vero Beach, Florida. Today, 5 years after Congress passed that liability limitation, Piper now employs 1,500 people; and I believe they will continue to grow in the years ahead. This year, Piper will again produce 500 aircraft, four times what they had produced 5 years ago.

Liability reform creates jobs. Do we want to create more jobs here in America by establishing reasonable liability limits? H.R. 2005 will do this for the rest of American industries like the reforms that were passed in 1994 and have worked so well. If Members want to create more jobs here in the United States, support this rule and support the underlying bill.

Ms. SLAUGHTER. Mr. Speaker, I yield back the balance of my time.

Ms. PRYCE of Ohio. Mr. Speaker, I yield myself such time as I may consume.

In closing, I would just repeat that this is a modified open rule which only limits amendments through a preprinting requirement that the gentleman from California (Mr. DREIER) announced last Thursday. All of the Members who wish to participate in debate or offer thoughtful amendments may do so under this process. I urge support for this fair rule.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. CHABOT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to insert extraneous material into the RECORD on H.R. 2005, the legislation under consideration.

The SPEAKER pro tempore (Mr. BURR of North Carolina). Is there objection to the request of the gentleman from Ohio?

There was no objection.

WORKPLACE GOODS JOB GROWTH AND COMPETITIVENESS ACT OF 1999

The SPEAKER pro tempore. Pursuant to House Resolution 412 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2005.

The Chair designates the gentleman from Ohio (Mr. LATOURETTE) as Chairman of the Committee of the Whole, and requests the gentleman from New York (Mr. QUINN) to assume the chair temporarily.

1049

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2005) to establish a statute of repose for durable goods used in a trade or business, with Mr. QUINN, Chairman pro tempore, in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Ohio (Mr. CHABOT) and the gentleman from Michigan (Mr. CONYERS) each will control 30 minutes.

The Chair recognizes the gentleman from Ohio (Mr. CHABOT).

Mr. CHABOT. Mr. Chairman, I yield myself such time as I may consume.

I would first like to thank the bipartisan cosponsors of this bill, the gentleman (Ms. KAPTUR), a Democrat; the gentleman from Illinois (Mr. SHIMKUS), a Republican; and the gentleman from New York (Ms. SLAUGHTER), another Democrat, for their strong support of this bill.

Our bill, the Workplace Goods Job Growth and Competitiveness Act of 1999 is a straightforward, commonsense product liability reform measure that limits frivolous lawsuits while ensuring that no injured party ever goes uncompensated. This modest proposal is critically needed to encourage economic growth, maintain the competitiveness of American durable good manufacturers and keep U.S. manufacturing jobs from moving overseas.

I hope that today we can engage in an honest and principled debate over this very important issue. However, I should warn my colleagues that oppo-

nents of this bill may, and I want to emphasize may, try to cloud the debate with anecdotes that do not hold up under closer scrutiny.

In the Committee on the Judiciary, for example, we heard opponents allude to various cases to make their points, but they did not tell us all the facts. In one case, they did not tell us that as the technology improved, the company developed a new safety device and began to retrofit their products. They did not tell us that the company sent out 13 notices to past purchasers to inform them of the new safety technology. They did not tell us that the printing press in question was 20 years old or had been resold five times and that the current owner, a leasing company, did not make the safety repairs. They did not tell us that the company leasing the machine deliberately altered the press and removed other safety guards. And they certainly did not mention that the employee who was injured was injured when he deliberately and inexplicably reached into the moving printing press.

So I ask that Members consider this bill on its merits and not be swayed by unreliable stories from those who continue to support frivolous lawsuits, lawsuits that are devastating to small business owners, devastating to their employees, and ultimately very expensive to consumers and to taxpayers.

Our bipartisan bill would help remedy this problem by recognizing that after a reasonable length of time, 18 years, manufacturers should not bear the burden of capricious litigation over products that have functioned safely for many, many years. It is essentially a statute of limitations past which a company cannot be sued for an injury caused by an overage product.

However, unlike a statute of limitations, a statute of repose measures the time available to file a claim for personal or property injuries from the date of the initial sale of the capital equipment. This limitation would not apply in any case where the injured party is not eligible to receive workers' compensation, ensuring that all employees retain the ability to seek compensation. I want to emphasize that, that if workers' comp does not cover the employee, this statute has absolutely no effect at all, so we are not jeopardizing anybody's right to recover here.

This is a reasonable proposal, based in part on the General Aviation Revitalization Act of 1994 which created a similar 18-year statute of repose for the general aviation industry. The General Aviation Revitalization Act overwhelmingly passed Congress and was signed by the President. It is now the law of the land. It is also important to note that 19 States have already enacted some form of a statute of repose, all of them shorter than 18 years. Our bill will create a uniform standard that will discourage forum shopping by creative trial lawyers.

Mr. Chairman, even though manufacturers of durable goods are targeted as